

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10cv463**

DARLY-MORGAN D. MAKABIN,)
)
 Plaintiff,)
)
 v.)
)
 G4S WACKENHUT,)
)
 Defendant.)
 _____)

ORDER

THIS MATTER is before the Court sua sponte. It has come to the Court's attention that this matter is largely duplicative of a case filed less than two weeks prior to the instant action. While plaintiff alleges some additional facts in the instant case, this case involves the same plaintiff, same defendant, and same claims as the previously filed case. Rule 42(a) of the Federal Rules of Civil Procedure states:

When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

In the interests of judicial economy and efficient use of resources, the Court will thus consolidate this matter with the earlier-filed matter.

IT IS, THEREFORE, ORDERED that:

1. The Clerk is directed to consolidate civil action number 3:10cv463 into the earlier-filed related civil action number 3:10cv441 and then administratively close civil action number 3:10cv463.
2. Once the cases are consolidated, as plaintiff has already remitted the \$350 filing fee

in case number 3:10cv441, the Clerk's office shall issue summons as to the additional complaint;

3. Plaintiff is directed to serve the defendant with this additional process and complaint upon issuance of such additional summons.

SO ORDERED.

Signed: October 21, 2010

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

